

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7282

BILL NUMBER: HB 1566

NOTE PREPARED: Jan 2, 2009

BILL AMENDED:

SUBJECT: Methamphetamine Production.

FIRST AUTHOR: Rep. Bell

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill enhances the penalty for manufacturing methamphetamine to a Class A felony if: (1) the laboratory or chemicals used to manufacture the methamphetamine; or (2) waste from the manufacture of the methamphetamine; causes serious bodily injury or death to a person other than the defendant.

Effective Date: July 1, 2009.

Explanation of State Expenditures: State expenditures would increase if an offender is incarcerated in a state prison for a longer period of time. A Class B felony is punishable by a prison term ranging between 6 to 20 years, depending upon mitigating and aggravating circumstances. A Class A felony is punishable by a prison term ranging from 20 to 50 years. More offenders could mean increased costs to the Department of Correction (DOC). The average expenditure to house an adult offender was \$20,287 in FY 2008. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. The estimated average cost of housing a juvenile in a state juvenile facility was \$69,223. The average length of stay in DOC facilities for all Class A felony offenders is approximately 9.1 years.

Background: In a one-day snapshot of the state prison population on October 15, 2008, there were 134 offenders serving a sentence for dealing in methamphetamine, a Class B felony, and 25 offenders who received an enhanced penalty, Class A felony, under the circumstances currently in statute.

Explanation of State Revenues: No change would likely occur in state revenue as a result of this bill since

criminal fines and court fees are the same for either Class B or A felonies.

Explanation of Local Expenditures:

Explanation of Local Revenues: No additional revenues would be expected since the court fees for Class B and Class A felonies are both \$120.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Sheriffs' Association, Department of Correction.

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